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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/579,027	07/17/2007	Piet De Pauw	016998-004300US	8554

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EXAMINER

HEALY, BRIAN

ART UNIT	PAPER NUMBER
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2883

MAIL DATE	DELIVERY MODE
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06/03/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/579,027	Applicant(s) DE PAUW, PIET	
	Examiner BRIAN M. HEALY	Art Unit 2883	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
4a) Of the above claim(s) 42 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 5/10/2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4, 6-14, 19 and 21-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Kragl, U.S. Patent Application Publication No. U.S. 2004/0008952A1.
4. Kragl 952' teaches (Figs.1-23) a means for coupling an optical fiber to an integrated circuit and method using same comprising: a coupling body 3 with two open ends with the first end for fitting an optical fiber waveguide 7 (Note that any conventional

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fiber i.e. glass or plastic, can be used) with the sides of the coupling body 3 including reflective surfaces 19 which sends light to an integrated optically active means 1,2 (Note that the optical active means can be transceiver means including detectors and led light sources) which is electrically connected via wire bonding to an integrated circuit board 4 and the space between the fiber end is filled with an optically transparent gel or adhesive K, which clearly, fully meets Applicant's claimed limitations.

5. Claims 1-41 are rejected under 35 U.S.C. 102(b) as being anticipated by Lebby et. al., U.S.P. No. 5,428,704.

6. Lebby et. al. 704' teaches (Figs.1-7) a means for coupling an optical fiber to an integrated circuit and method using same comprising: a coupling body 112 with two open ends with the first end for fitting an optical fiber waveguide 103 (Note that any conventional fiber i.e. glass or plastic, can be used) with the sides of the coupling body 210 including reflective surfaces (Note that other reflective sides can be incorporated into a molded diffractive lens 308,306,205',206') which sends light to an integrated optically active means 118 (Note that the optical active means can be transceiver means including detectors and led light sources) which is electrically connected via wire bonding to an integrated circuit board 112,116 and the space between the fiber end is filled with an optically transparent gel or molded adhesive, which clearly, fully meets Applicant's claimed limitations.

7. Claim 42 has been cancelled by Applicant.

8. The following references are also cited by the Examiner as being pertinent and/or related art: Cohen et. al., U.S.P. No. 6,873,799 (Figs.1-7), Kragl, U.S.P. No. 6,832,861

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(Figs.1-23), Goldman et. al., U.S. Patent Application Publication No. U.S. 2002/0015567A1 (Figs.1-4), Goldman et. al., U.S.P. No. 6,796,724 (Figs.1-4), DePauw, U.S. Patent Application Publication No. U.S. 2008/0085122A1 (Note entire reference), and Uemiya et. al., U.S.P. No. 4,762,381 (Figs.1-13).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRIAN M. HEALY whose telephone number is (571)272-2347. The examiner can normally be reached on M-F 6AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font can be reached on (571)272-2415. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**/BRIAN M. HEALY/
Primary Examiner
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